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TRANSCRIPT OF RECORD

Supreme Court of the United States

OCTOBER TERM, 1960

No. 36

TWO GUYS FROM HARRISON-ALLENTOWN, INC.,
APPELLANT,

vs.

PAUL A. McGINLEY, DISTRICT ATTORNEY,
COUNTY OF LEHIGH, PENNSYLVANIA, ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FILED FEBRUARY 12, 1960
PROBABLE JURISDICTION NOTED APRIL 25, 1960

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INDEX

	Original	Print
Record from U.S.D.C. for the Eastern District of Pennsylvania		
Complaint	1	1
Order convening three-judge court and granting temporary restraining order and setting date for hearing application for preliminary injunction filed	5	4
Amended complaint	6	5
Motion for clarification of order filed November 22, 1958, or in the alternative, for temporary restraining order	9	7
Answer to amended complaint	10	8
Order granting temporary injunction	13	10
Transcript of hearing of September 11, 1959	14	11
Appearances	14	11
Colloquy between court and counsel	15	12
Motion of the Pennsylvania Retailers Ass'n for leave to intervene	16	12
Opening statement on behalf of plaintiff by Mr. Kohn	19	14

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[fol. 1] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Civil Action No. 25626

TWO GUYS FROM HARRISON-ALLENTOWN, INC.

v.

PAUL A. McGINLEY, District Attorney, County of Lehigh, Pennsylvania

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COMPLAINT—Filed November 22, 1958

1. Plaintiff is a corporation organized and existing under the laws of the Commonwealth of Pennsylvania engaged in operating a store in Whitehall Township, Lehigh County, Pennsylvania, employing approximately 300 persons.

2. The defendant is the District Attorney for the County of Lehigh, Pennsylvania, having his office at 445 Hamilton Street, Allentown, Pennsylvania.

3. Jurisdiction of this Court is invoked under 28 U.S.C. 1331, 1343, 42 U.S.C. 1981 and 28 U.S.C. 2281, 2284.

4. The amount in controversy exceeds $10,000, exclusive of interest and costs, and the controversy arises under the Constitution of the United States and 42 U.S.C. 1983 (Civil Rights Act) and is to redress the deprivation under color of state law of a right secured under the Constitution.

5. The defendant is arbitrarily and discriminatorily endeavoring to coerce plaintiff to discontinue the operation of its business on Sunday by threatening to arrest its employes for alleged violation of the so-called Pennsylvania Sunday Blue Laws and for conspiracy to violate said laws. The said District Attorney, despite repeated requests, has [fol. 2] refused to enforce said laws against other persons